

### **REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed September 7, 2005. Claims 1-22 were pending in the Application. In the Office Action, Claims 1-22 were rejected. In order to expedite prosecution of this Application, Applicants amend Claims 1, 7, 14, 15 and 19. Thus, Claims 1-22 remain pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

### **SECTION 103 REJECTIONS**

Claims 1-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,279,113 issued to Vaidya (hereinafter "*Vaidya*") in view of U.S. Patent No. 6,578,147 issued to Shanklin et al. (hereinafter "*Shanklin*"). Applicants respectfully traverse this rejection.

Of the rejected claims, Claims 1, 7, 14 and 19 are independent. Applicants respectfully submit that neither *Vaidya* nor *Shanklin*, alone or in combination, discloses, teaches or suggests the limitations of independent Claims 1, 7, 14 and 19. For example, independent Claim 1, as amended, recites "reading a first packet received by the node," "comparing [a] first signature [of the first packet] with a signature file comprising a first machine-readable logic representative of a first packet signature," "reading a second packet generated by the node in response to reception of the first packet," "comparing [a] second signature [of the second packet] with the signature file" and "identifying the first packet as an intrusion if the first signature corresponds with the first machine readable logic and the second signature corresponds with the second machine readable logic" (emphasis added).

In the Office Action, the Examiner admits that *Vaidya* does not explicitly disclose reading the response packet of the first packet, extracting the signature of the second packet and comparing the signature with a signature file (Office Action, page 3). *Shanklin* appears to disclose a router 12 that inspects packets incoming from the external network to determine which

should be forwarded into the local network 10, and that packets originating in the local network are inspected to determine whether they are to be forwarded to the external network (*Shanklin*, column 3, lines 30-34). However, neither *Vaidya* nor *Shanklin*, alone or in combination, discloses, teaches or suggests “identifying the first packet [received] as an intrusion” if the “signature [of the first packet] corresponds with the first machine readable logic and the second signature [of the second packet] corresponds with the second machine readable logic” as recited by independent Claim 1 (emphasis added). Accordingly, for at least this reason, independent Claim 1 is patentable over the cited references.

Independent Claim 7, as amended, recites “reading a first packet,” “comparing [a] first signature [of the first packet] with a first instruction set comprising a first set of machine readable logic representative of a first packet signature,” “reading a second packet generated in response to reception of the first packet,” “comparing [a] second signature [of the second packet] with a second instruction set comprising a second set of machine readable logic representative of a second packet signature” and “identifying the first packet as an intrusion if the first signature corresponds with the first set of machine readable logic and the second signature corresponds with the second set of machine readable logic” (emphasis added), and independent Claim 14, as amended, recites a “network filter service provider operable to receive a first packet and . . . and compare [a] first signature [of the first packet] with a first instruction set comprising a first set of machine readable logic representative of a first packet signature,” “receive a second packet generated in response to receipt of the first packet and . . . compare [a] second signature [of the second packet] with a second instruction set comprising a second set of machine readable logic representative of a second packet signature” and “identify the first packet as an intrusion if the first signature corresponds with the first set of machine readable logic and the second signature corresponds with the second set of machine readable logic” (emphasis added). Thus, at least for the reasons discussed above in connection with independent Claim 1, independent Claims 7 and 14 are also patentable over the cited references.

Further, independent Claim 19, as amended, recites “reading a response packet by the node, the response packet generated in response to reception of a first packet by the node,” “determining a signature of the response packet,” “comparing the signature with a signature file comprising a machine-readable logic representative of a packet signature” and “identifying the first packet as an intrusion if the signature [of the response packet] corresponds with the machine-readable logic” (emphasis added). Applicants respectfully submit that neither *Vaidya* nor *Shanklin*, alone or in combination, discloses, teaches or suggests identifying a first packet received by a node as an intrusion based on a signature of a response packet to the first packet as generally recited by independent Claim 19. Thus, at least this reason, Applicants respectfully submit that independent Claim 19 is patentable over the cited references.

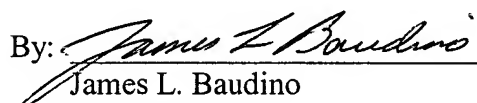
Claims 2-6, 8-13, 15-18, 21 and 22 depend respectively from independent Claims 1, 7, 14 and 19. For at least the reasons discussed above, independent Claims 1, 7, 14 and 19 are in condition for allowance. Therefore, Claims 2-6, 8-13, 15-18, 21 and 22 that depend respectively therefrom are also in condition for allowance. Accordingly, Applicants respectfully request that the rejection of Claims 1-22 be withdrawn.

**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

An RCE filing fee of \$790.00 is believed due. The Director of Patents and Trademarks is hereby authorized to charge Deposit Account No. 08-2025 of Hewlett-Packard Company the amount of \$790.00 to satisfy the RCE filing fee. If, however, Applicants have miscalculated the fee due with this RCE, the Director is hereby authorized to charge any fees or credit any overpayment associated with this RCE to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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